

EXECUTIVE OFFICER SUMMARY REPORT
August 13, 2003

ITEM: 19

SUBJECT: **PUBLIC HEARING:** Administrative Assessment for Civil Liability against Richmond American Homes for failure to pay annual fees for enrollment in the State Board's General Construction Storm Water Permit No. 99-08-DWQ in violation of California Water Code section 13260. If the discharger elects to waive their right to a hearing, the matter will be rescheduled to allow for a 30-day public review period at which time the Regional Board will consider assessment of civil liability. (Vicente Rodriguez)

- a. Sunbow Phase 2A/B in Temecula (Tentative Order No. R9-2003-0287)
- b. Barcelona Classics in Wildomar (Tentative Order No. R9-2003-0288)
- c. San Marcos site (Tentative Order No. R9-2003-0289)
- d. Tract No. 28753 Rancho Bella Vista in Temecula (tentative R9-2003-0290)
- e. Portion of Murietta Hotsprings in Temecula (Tentative Order No. R9-2003-0292)
- f. Richmond American in Rancho Bernardo (Tentative Order No. R9-2003-0293)

PUBLIC HEARING OF THIS ITEM HAS BEEN POSTPONED

DISCUSSION: On July 25, 2003, Richmond American Homes waived their right to a hearing for each of the six Complaints issued for Civil Liability. Richmond also submitted a \$3,630 check for full payment of the liability. This written settlement offer was accepted by the Executive Officer for future consideration by the Regional Board. Therefore, the hearing for Administrative Assessment of Civil Liability against Richmond American Homes has been postponed.

A 30-day comment period will be established to solicit comments from interested parties. Subsequently, the terms of the settlement along with any comments received during the comment period will be provided to the Regional Board for consideration at September 10, 2003 Regional Board meeting.